

SENATE CHAMBER,
AUSTIN, TEXAS, Wednesday, August 10, 1870.

Senate met pursuant to adjournment. President Don Campbell presiding. Roll called; quorum present.

Prayer by the Chaplain.

On motion of Senator Flanagan, the reading of the journal was dispensed with.

The Secretary carried to the House the following House bills: Nos. 166, 184, 376, 407, 478, 496.

Also the following Senate bill by Senator Pickett:

A Bill entitled "An Act to validate the authentication and registration of deeds and other instruments, acknowledged as proven before county judges."

Bill read first time.

On motion of Senator Pickett, the rules were suspended to consider the bill.

Bill read second time.

Senator Bowers offered the following amendment:

Amend section —, by adding, "and all depositions taken before a county judge shall be as valid as if taken before an officer authorized to take depositions."

Adopted.

Senator Bowers moved to amend the caption, to read as follows:

A bill to be entitled "An Act to validate certain official acts of county judges."

Adopted.

Bill passed to engrossment.

Rules further suspended; bill read third time and passed.

Message from the House informing the Senate that the House had passed, with amendments, Senate bill No. 267, "An Act to incorporate the Hempstead, Eastern and Western Trunk Railway Company of Texas," and Senate bill No. 260, "An Act to incorporate the Texas, Timber and Prairie Railroad Company;" also, without amendments, House bill No. 503, "An Act prescribing the mode of proceeding in district courts in matters of probate."

By Senator Baker:

A bill to be entitled "An Act granting pensions to the surviving veterans of the revolution which separated Texas from Mexico."

Bill read first time.

On motion of Senator Cole, the rules were suspended to consider the bill.

Bill read second time and passed to engrossment; rules further suspended, bill read third time.

Yeas and nays taken on final passage:

Yeas---Mr. President, Alford, Baker, Bell, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Flanagan, Ford, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Rawson, Ruby, Saylor, Shannon--25.

Nays---None.

Absent---Fountain, Latimer, Pridgen, Pyle--4.

Bill passed.

The following joint resolution was offered by Senator Pettit:

Be it resolved by the Senate and House of Representatives, That two commissioners be appointed, one by the Senate and one by the House, in order to visit other States for the purpose of obtaining information upon the subject of free school systems, and report thereon at the next session of the Legislature; and that _____ dollars is hereby appropriated out of any money in the treasury not otherwise appropriated, to meet the expenses of said commissioners.

Read first time.

Senator Pettit moved the suspension of the rules to consider the resolution.

Yeas and nays taken:

Yeas---Mr. President, Bowers, Clark, Ford, Hall, Hertzberg, Parsons, Pettit, Pickett, Priest, Pyle, Ruby, Saylor--13.

Nays---Alford, Bell, Broughton, Cole, Dohoney, Douglas, Evans, Flanagan, Gaines, Rawson Shannon--11

Absent---Baker, Fountain, Latimer, Mills, Pridgen--5.

Motion to suspend the rules lost.

By Senator Dohoney:

An act to be entitled "An Act to regulate the sale of lands under decrees of courts."

Read first time; rules suspended, bill read second time.

Senator Dohoney offered the following amendment:

Amend by adding, "Provided, that when more than one lot shall be purchased by the same person the sheriff, unless otherwise requested by the purchaser, shall include all of said lots in the same deed, and shall in such case be entitled to fees for making one deed only.

Adopted.

Rules further suspended, bill read third time and passed.

Report of Committee on Engrossment:

COMMITTEE ROOM,
Austin, August 10, 1870.

Hon. DON CAMPBELL,

President of the Senate :

SIR : Your Committee on Engrossed Bills having examined and compared Senate bill No. 317, " Making appropriations for the support of the State government for the fiscal year, commencing September 1, 1870, and ending August 31, 1871, and for deficiencies incurred in the support of the State government for previous years," find the same to be correctly engrossed.

G. T. RUBY,
E. L. DOHONEY,
P. W. HALL.

Reports of Committee on Internal Improvements :

COMMITTEE ROOM,
Austin, August 6, 1870.

Hon. DON CAMPBELL,

President of the Senate :

SIR : Your Committee on Internal Improvements, to whom was referred Senate bill No. 279, " An Act to incorporate the Rio Grande Railroad Company," have carefully considered the same, and respectfully report it back to the Senate, and recommend it do pass.

W. A. SAYLOR,
Chairman.

Laid over under the rules.

COMMITTEE ROOM,
Austin, August 9, 1870.

Hon. DON CAMPBELL,

President of the Senate :

SIR : Your Committee on Internal Improvements, to whom was referred Senate bill No. 346, " An Act to organize and incorporate the East Line and Red River Railroad Company," have had the same under consideration, and report it back, recommending its passage.

W. A. SAYLOR,
Chairman.

Laid over under the rules.

On motion of Senator Priest the rules were suspended to take up House bill No. 503, " An Act to prescribe the mode of proceeding in district courts in matters of probate."

Bill read first time; rules further suspended, bill read second time; rules suspended, bill read third time and passed.

Sent to the House.

On motion of Senator Hall the rules were suspended to take up Senate bill No. 260, "An Act to incorporate the Texas Timber and Prairie Railroad Company."

Senator Hall moved the Senate concur in the following House amendments to Senate bill No. 260 :

Amend section one by striking out the word "perpetual," and insert after the word "succession," the words "for ninety-nine years."

Amend section twenty-four by striking out the words, "or other acts of God."

Adopted.

Senator Douglas offered the following :

Resolved, That a special committee of three be appointed to arrange and report special orders of the most important general acts now pending before the Senate.

Adopted.

The Chair appointed Senators Douglas, Baker and Ruby on said committee.

On motion of Senator Mills the rules were suspended to take up House bill No. 466, "An Act to aid the Brazos Branch Railroad to change the gauge, extend the time of construction, erect a telegraph line, and permit the company to extend the road to the International Railroad."

Bill read first time.

On motion of Senator Parsons the further consideration of the bill was postponed, with leave to call up substitute for the same any time when not in conflict with any bill pending at the time of calling up the substitute.

Senator Pyle offered the following resolution :

Resolved, That Thos. Powell, Assistant Sergeant-at-Arms, be allowed ten days extra pay for services in preparing the Senate Chamber before the commencement of this session.

On motion of Senator Mills it was referred to Committee on Contingent Expenses.

On motion of Senator Rawson the rules were suspended to take up Senate bill No. 259, "An Act to establish and incorporate the Beneficial Society of Galveston."

Bill read second time and passed to engrossment; rules further suspended, bill read time.

Yeas and nays taken on final passage :

Yeas—Mr. President, Alford, Bell, Bowers, Clark, Cole, Dohoney, Douglas, Evans, Flanagan, Ford, Gaines, Hall, Hertzberg, Latimer, Pickett, Priest, Pridgen, Pyle, Saylor, Shannon—22.

Nays—None.

Absent—Baker, Broughton, Fountain, Mills, Parsons, Pettit, Ruby,—7.

Bill passed.

On motion of Senator Saylor the rules were suspended to take up House bill No. 205, "An Act to incorporate the Bryan Bridge Company, and allow them certain privileges therein named."

Bill read first and second times; rules further suspended, bill read third time.

Yeas and nays taken :

Yeas—Mr. President, Alford, Bell, Bowers, Clark, Dohoney, Evans, Flanagan, Ford, Gaines, Hall, Hertzberg, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Saylor, Shannon—20.

Nays—None.

Absent—Baker, Broughton, Cole, Douglas, Fountain, Latimer, Mills, Rawson, Ruby--9.

Bill passed.

On motion of Senator Parsons the rules were suspended to take up Senate bill No. 217, "An Act to incorporate the Houston and San Jacinto Canal and Navigation Company."

Bill read second time and passed to engrossment; rules suspended, bill read third time.

Yeas and nays taken :

Yeas—Mr. President, Alford, Baker, Bowers, Clark, Cole, Douglas, Evans, Flanagan, Ford, Gaines, Hall, Hertzberg, Latimer, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Rawson, Ruby, Saylor, Shannon--24.

Nays—None.

Absent—Bowers, Broughton, Dohoney, Fountain, Mills--5.

Bill passed.

On motion of Senator Pettit the rules were suspended to take up House bill No. 150, "An Act to revive an act, and amend the first section thereof, incorporating the Burnell Male and Female Academy."

Read first time; rules suspended, bill read second time, and on motion of Senator Bowers was referred to the Committee on Judiciary.

On motion of Senator Pickett the rules were suspended to take up House bill No. 151, "An Act for the relief of railroad companies indebted to the State for loans from the special school fund."

Bill read first time; rules suspended, bill read second time and passed to third reading; bill read third time and passed.

On motion of Senator Priest the rules were suspended to take up Senate bill No. 325, "An Act fixing the terms of the Supreme Court of the State of Texas, and authorizing and requiring the court to establish rules."

Read second time, passed to engrossment, and put on its third reading; rules suspended, bill read third time and passed.

On motion of Senator Pridgen the rules were suspended to take up Senate bill No. 335, "An Act to permanently locate the county seat of San Patricio county."

Read second time and passed to engrossment; rules suspended, bill read third time and passed.

On motion of Senator Pyle the rules were suspended to take up House bill No. 446, "An Act supplementary to 'An Act to incorporate the Victoria and Columbia Railroad Company,' approved November 13, 1866."

Read first time; rules suspended, bill read second time and passed to third reading; rules suspended, bill read third time and passed.

Senator Flanagan offered the following resolution:

WHEREAS, There are a large number of Senate bills awaiting passage; and, whereas, the constant accumulation of House bills and the passage thereof necessitates additional sessions of the Senate besides those already had; therefore,

Resolved, That the Senate hold evening sessions from four till six o'clock, for the consideration of Senate bills.

Adopted.

On motion of Senator Bell the Senate concurred in the House amendments to Senate bill No. 267, "An Act to incorporate the Hempstead, Eastern and Western Trunk Railway Company of Texas."

On motion of Senator Rawson the rules were suspended and House bill No. 461, "An Act to incorporate the town of Carthage, in Panola county," read first time; rules suspended, read second time and passed to third reading.

Bill read third time and passed.

The hour having arrived for the consideration of special order, House bill No. 454, "An Act providing for the appointment of public weighers of cotton and wool within the State of Texas, and prescribing the fees and duties thereof."

Senator Flanagan offered the following amendment:

Amend section three, second line, after "wool," strike out "brought into and."

Adopted.

Senator Dohoney moved to amend by striking out "sections eight, nine and ten" Adopted.

Senator Flanagan moved to amend by striking out all after the word "Houston," line six, section one. Adopted.

Senator Pickett moved its indefinite postponement.

Yeas and nays taken:

Yeas—Mr. President, Alford, Clark, Dohoney, Douglas, Evans, Hall, Latimer, Pickett, Pridgen, Pyle, Rawson, Shannon—13.

Nays—Baker, Bowers, Broughton, Cole, Flanagan, Ford, Gaines, Hertzberg, Mills, Pettit, Priest, Ruby, Saylor—13.

Motion to postpone lost.

Senator Hall offered the following amendment:

After the word "Houston," in section one, line four, insert "Calvert and the terminus of the Houston and Texas Central Railroad."

Adopted.

Senator Dohoney offered the following amendment:

Amend section eleven, line three, by striking out the word "fifteen" and insert the word "ten."

Adopted.

Senator Bowers offered the following amendment:

Amend by adding at the end of section eleven, the words "Provided, when any cotton bale or other package has once been weighed by a public weigher, the same shall not be weighed by any other public weigher in this State."

Adopted.

Senator Cole offered the following amendment:

Amend section one by adding after the word "appoint," in line two, the words "by and with the advice and consent of the Senate."

Adopted.

Senator Ford offered the following amendment:

Amend section three, line one, by inserting after the word "cotton," "when called upon by the seller or purchaser."

Adopted.

Senator Flanagan moved the previous question. Previous question seconded.

Senator Flanagan moved the bill pass to its third reading.

Yeas and nays taken:

Yeas—Mr. President, Baker, Bowers, Broughton, Cole, Flanagan, Ford, Gaines, Hall, Hertzberg, Latimer, Ruby, Saylor—13.

Nays—Alford, Clark, Dohoney, Douglas, Evans, Pettit, Pickett, Pyle, Rawson, Shannon—10.

Carried.

Bill read third time.

The yeas and nays were taken on final passage:

Yeas—Mr. President, Baker, Bowers, Broughton, Cole, Flanagan, Ford, Gaines, Hall, Hertzberg, Latimer, Ruby, Saylor—13.

Nays—Alford, Clark, Dohoney, Douglas, Evans, Pettit, Pickett, Pyle, Rawson, Shannon—10.

Absent—Bell, Fountain, Mills, Parsons, Priest, Pridgen—6.

Bill passed, and sent to the House.

Message from the House, informing the Senate that the Speaker had signed, in open session, enrolled bill, entitled "An Act for the incorporation of the city of Paris, in the county of Lamar."

Also, enrolled bill, "An Act to amend an act entitled 'An Act to incorporate the Neches Navigation Company,' approved November 8, 1866."

Also, "An Act to incorporate a Bank of Discount and Deposit at Navasota, Texas."

Signed by the President.

Message from the House, informing the Senate that the House had passed, without amendments, Senate bill No. 281, "An Act to organize the courts of justices of the peace and county courts, and to define their jurisdiction."

Also, Senate bill 132 "An Act requiring justices of the peace to tax a jury fee of three dollars in each criminal case tried before them, and to allow fees to jurors in such cases."

On motion of Senator Ruby the rules were suspended to take up House bill No. 381, "An Act to provide for the mode and manner of conducting elections, making returns, and for the protection and purity of the ballot box."

Bill read second time.

Reported back from special committee.

Report of majority and minority read.

Senator Broughton moved the adoption of the majority report:

Yeas and nays called on the adoption of the majority report:

Yeas—Alford, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Flanagan, Pickett, Pridgen, Pyle, Shannon—13.

Nays—Baker, Bell, Ford, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Rawson, Ruby, Shannon—12.

Report adopted.

Senator Ruby moved the indefinite postponement of the bill.

Yeas and nays called on the motion to indefinitely postpone:

Yeas—Alford, Baker, Ford, Gaines, Hall, Hertzberg, Parsons, Pettit, Priest, Rawson, Ruby, Saylor—12.

Nays—Mr. President, Bell, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Flanagan, Latimer, Mills, Pickett, Pridgen, Pyle, Shannon—16.

Absent—Fountain.

Motion to postpone lost.

Message from the House by Chief Clerk, transmitting enrolled bills:

House bill No. 368, "To incorporate the Sabine Valley Agricultural and Mechanical Society."

House bill No. 28, "To incorporate the Alamania Association, of the town of LaGrange, Texas."

House bill No. 123, "An Act to incorporate the Galveston Insurance Company."

House bill No. 395, "An Act making an appropriation for the purpose of covering a deficiency in the amount appropriated by the Commanding General of the Fifth Military District for the purpose of having made a copy of the list of registered voters."

House bill No. 77, "An Act for the relief of certain persons therein named."

They were signed by the President and returned to the House.

Senator Ruby moved a call of the Senate. Call sustained.

Pending call of the roll, Senator Parsons moved a suspension of the call. Call suspended.

Senator Parsons moved the Senate go into executive session.

Yeas and nays called :

Yeas—Baker, Bell, Ford, Gaines, Hall, Hertsberg, Mills, Parsons, Pettit, Pickett, Priest, Pyle, Rawson, Ruby, Saylor—15.

Nays—Mr. President, Alford, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Flanagan, Pridgen, Shannon—12.

Absent—Fountain, Latimer—2.

Senate went into executive session.

IN SENATE.

The Secretary informed his Excellency, the Governor, that the Senate, in executive session, advises and consents to the following nomination : H. C. Pedigo, for Judge of the District Court of the Second Judicial District.

The Senate refused to advise and consent to the nomination of J. H. Rogers, for Judge of the District Court for the Seventh Judicial District.

Report of Committee on Contingent Expenses :

COMMITTEE ROOM,
Austin, August 9, 1870.

Hon. DON CAMPBELL,

President of the Senate :

SIR : Your Committee on Contingent Expenses, to whom was referred Senate resolution No. —, "Authorizing the payment of Thomas Powell, Assistant Sergeant-at-Arms, for ten days' service in the Senate Chamber previous to the commencement of this session," having duly considered the same, instruct me to report it back to the Senate and recommend its passage.

J. S. MILLS,
Chairman.

Laid over under the rules.

By leave, Senator Mills presented the following bill:

"An Act to authorize the holding of a special term of the District Court, in the county of Grimes, as the summer term of the year 1870.

On motion of Senator Mills, the rules were suspended to consider the bill.

Bill read second time and passed to engrossment.

Rules further suspended, and bill read third time and passed.

On motion of Senator Saylor, the rules were suspended to take up Senate bill No. 279, "An Act to incorporate the Rio Grande Railroad Company."

On motion of Senator Dohoney, the Senate adjourned till 4 o'clock this evening.

AFTERNOON SESSION.

4 o'clock, P. M.

Senate met pursuant to adjournment; President Don Campbell presiding. Roll called; quorum present.

The Secretary carried to the House the following engrossed bills: Nos. 446, 461, 151, 205, 454.

Also, enrolled Senate bill 90, "An Act to incorporate the Sabine, and Neches River and Pine Island Bayou and Internal Improvement Company." Signed by the Speaker, and returned and signed by the President.

Enrolled Senate bill No. 197, "An Act prescribing the times of holding the district courts in the several judicial districts in this State. Signed by the Speaker and returned and signed by the President.

Enrolled Senate bill 262, "An Act to change the present boundaries of Burleson and Brazos counties. Signed by the Speaker, and returned and signed by the President.

Report of Committee on Enrollment:

COMMITTEE ROOM,
Austin, August 10, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Enrolled Bills have examined and find correctly enrolled Senate bill No. 186, entitled "An Act to incorporate a Bank of Discount and Deposits at Navasota, Texas;" also, Senate bill No. 237, entitled "An Act to amend an act entitled 'An

Act to incorporate the Neches Navigation Company," approved November 8, 1866;" also, Senate bill No. 265, entitled "An Act for the incorporation of the city of Paris, in Lamar county;" and to-day at 2:30 P. M., presented them to the Governor for his approval.

B. J. FRIDGEN,
Chairman.

[General File.]

Senate bill No. 63, "An Act concerning judgment and mortgage liens upon real estate."

Report of Committee recommending that the bill do not pass, was adopted.

Senate bill No. 70, "An Act to repeal part of an act, entitled 'An Act to levy taxes,' approved November 6, 1866."

The Report of Committee recommending that the bill do not pass, was adopted.

Petition of C. F. Millett for relief.

Report of Committee recommending the relief asked for do not be granted, was adopted.

Petition for the relief of H. W. Faison, of Fayette county.

Report read, and on motion of Senator Alford, was indefinitely postponed.

Petition for the relief of estate of Thomas Corothers.

Report of Committee read, recommending the relief asked for be not granted, was adopted.

Petition of U. C. Philips.

Report of Committee recommending the relief asked for be not granted, was adopted.

Petition of D. W. Hancock for relief.

Report recommending it do not pass, was adopted.

Petition of J. Wadsworth for relief.

Report of Committee recommending it do not pass, was adopted.

Petition of H. Clay Evans.

Report of Committee recommending it do not pass, was adopted.

Petition of Jeremiah Morton.

Report of Committee recommending that it do not pass was adopted.

Senate bill No 18, "An Act to incorporate the Dallas Bridge Company."

Bill read second time and passed to engrossment; rules further suspended, and bill read third time.

Yeas and nays taken:

Yeas—Mr. President, Alford, Bell, Bowers, Clark, Cole, Doho-

ney, Douglas, Ford, Gaines, Hall, Hertzberg, Latimer, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Ruby, Shannon--21.

Nays--None.

Absent--Baker, Broughton, Evans, Flanagan, Fountain, Mills, Rawson, Saylor--8.

Bill passed.

Message from the House transmitting House bill No. 501, "An Act to incorporate the Gilmer Manufacturing Company."

The House concurred in Senate amendments to House bill No. 478; also, to Senate Amendment to House bill No. 314.

[General File Resumed.]

Senate bill No. 19, "An Act to incorporate the Cedar Creek Bridge Company."

Bill read second time and passed to engrossment.

Rules further suspended and bill read third time.

Yeas and nays taken:

Yeas--Mr. President, Alford, Bell, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Ford, Gaines, Hall, Hertzberg, Latimer, Mills, Parsons, Pettit, Pickett, Pridgen, Pyle, Ruby, Saylor, Shannon--24.

Nays--None.

Absent--Baker, Flanagan, Priest, Rawson--4.

Bill passed.

Senate bill No. 75, "An Act to incorporate the Austin Joint Stock Building Company."

Bill read second time and passed to engrossment.

Rules further suspended, bill read third time.

Yeas and nays taken:

Yeas--Mr. President, Alford, Bell, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Ford, Gaines, Hall, Mills, Parsons, Pettit, Pickett, Pridgen, Pyle, Ruby, Shannon--21.

Nays--None.

Absent--Baker, Flanagan, Fountain, Hertzberg, Latimer, Priest, Rawson, Saylor--8.

Bill passed.

Senate bill No. 102, "An Act requiring the presiding justices in each county in this State to receive, disburse and account for all funds belonging to their respective counties.

Report of Committee read; bill read second time.

The following amendment was adopted:

Amend section three by adding, after the word "force," in fourth line from bottom, the words "and hereafter enacted."

Bill passed to engrossment as amended; rules further suspended, and bill read third time.

Yeas and nays taken:

Yeas—Bowers, Broughton, Clark, Cole, Dohoney, Evans, Latimer, Shannon—8.

Nays—Mr. President, Alford, Baker, Bell, Douglas, Ford, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Ruby—14.

Bill lost.

By leave, Senator Mills introduced a bill, entitled "An Act supplemental to an act making appropriations for the support of the State government for the fiscal year, commencing September 1, 1870, and ending August 31, 1871, and for deficiencies incurred in the support of the State government for previous years, ending August 31, 1870."

Bill read first time; rules suspended, bill read second time.

Senator Bowers moved to strike out "\$1000 for salary of district attorneys." Carried.

Senator Dohoney offered the following amendment:

Move to amend, by striking out, "salary of one clerk, one thousand dollars." Carried.

Bill passed to engrossment; rules further suspended, bill read third time.

Yeas and nays taken:

Yeas—Mr. President, Alford, Baker, Bell, Clark, Dohoney, Ford, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Ruby, Saylor, Shannon—18.

Nays—Broughton, Douglas, Evans, Flanagan—4.

Absent—Bowers, Cole, Fountain, Gaines, Latimer, Pyle, Rawson—7.

Bill passed.

Report of Committee on Enrollment:

COMMITTEE ROOM,
Austin, August 10, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Enrolled Bills have examined, and find correctly enrolled Senate bill No. 90, entitled "An Act to incorporate the Sabine and Neches Rivers, and Pine Island Bayou Internal Improvement Company;" also Senate bill No. 262, entitled "An Act to change the boundaries of Burleson and Brazos counties;" also Senate bill No. 197, entitled "An Act prescribing the times of holding the district courts in the several judicial districts in the State," and to-day, at five o'clock P. M. presented them to the Governor for his approval.

B. J. PRIDGEN,
Chairman.

Report of Committee on engrossment:

COMMITTEE ROOM,

Austin, August 10, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Engrossed Bills having examined Senate bill No. 291, "to incorporate Beaumont, Galveston and Coast Railway Company;" Senate bill No. 325, "fixing the terms of the Supreme Court of the State of Texas, and authorizing and requiring the court to establish rules;" Senate bill No. 334, "to add a part of the county of Refugio, herein described, to the county of San Patricio;" Senate bill No. 343, "to incorporate the Bank of Discount and Deposit at Calvert;" Senate bill No. 350, "granting pensions to the surviving veterans of the revolution which separated Texas from Mexico," find the same to be correctly engrossed.

G. T. RUBY,

E. L. DOHONEY,

P. W. HALL.

Message from the House informing the Senate that the House had passed, without amendments, the following bills: Senate bills Nos. 284; 62, 341, 330, 319, 144, and 146.

[General File Resumed.]

Senate bill No. 28, "An Act for the relief of the heirs of James S. Holman, deceased."

Bill read second time and passed to engrossment; rules suspended, bill read third time and passed.

Senate joint resolution for the relief of S. W. Baker.

Report of committee rejected.

Resolution read second time and passed to engrossment; rules suspended, bill read third time and passed by the following vote:

Yeas—Mr. President, Alford, Baker, Bowers, Clark, Cole, Dohoney, Ford, Mills, Parsons, Pettit, Pickett, Pridgen, Pyle, Ruby, Saylor, Shannon—17.

Nays—Bell, Douglas, Evans, Flanagan, Hall, Priest—6.

Senate bill No. 30, "An Act to incorporate the Home Insurance Company, of Houston, Texas," with amendments.

On motion of Senator Parsons the amendments were adopted.

Bill read second time and passed to engrossment.

Rules suspended, bill read third time and passed by the following vote:

Yeas—Mr. President, Alford, Baker, Bell, Bowers, Clark, Cole, Dohoney, Evans, Flanagan, Ford, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Ruby, Saylor, Shannon—22.

Nays—None.

Absent--Broughton, Douglas, Fountain, Gaines, Latimer, Pyle, Rawson--7.

Senator Hall moved a reconsideration of the vote had upon the amendment to House bill No. 429, "An Act to incorporate the Colorado Valley Immigration Company," striking out ten dollars for each immigrant introduced.

On motion of Senator Pettit the Senate adjourned, pending Senator Hall's motion to reconsider.

EVENING SESSION.

Senate met pursuant to adjournment; President Don Campbell in the Chair.. Roll called; quorum present.

The Secretary carried to the House the following Senate bills Nos. 291, 325, 334, 343, 350, 308, 335, 351, 352, 353 and 259.

On motion of Senator Clark the rules were suspended to take up House bill No. 433, "An Act to release A. M. Nips from paying State, county or city corporation tax on the sale of goods, wares and merchandise in the State of Texas."

Bill read first time; rules suspended, bill read second time; rules suspended, bill read third time and passed.

Sent to the House.

On motion of Senator Cole the rules were suspended to take up House bill No. 383, "An Act to incorporate the Lake Fork Toll Bridge Company."

Bill read first time; rules suspended, bill read second time; rules suspended, bill read third time.

Yeas and nays taken:

Yeas--Mr. President, Alford, Baker, Bell, Bowers, Clark, Cole, Dohoney, Evans, Ford, Hertzberg, Latimer, Mills, Pettit, Pickett, Priest, Pridgen, Rawson, Ruby, Shannon--20.

Nays--None.

Absent--Broughton, Douglas, Flanagan, Fountain, Gaines, Hall, Parsons, Pyle, Saylor--9.

Bill passed.

Sent to the House.

On motion of Senator Dohoney, the rules were suspended to take up Senate joint resolution for the relief of R. S. Brane.

Report of committee read and adopted.

Rules suspended, resolution read second time and passed to engrossment.

Rules suspended, and resolution read third time and passed.

On motion of Senator Douglas, the rules were suspended to take up House bill No. 480, "An Act for the relief of David Cole, or his assigns."

Bill read second time; rules suspended, bill read third time and passed and sent to the House.

On motion of Senator Douglas, the rules were suspended to take up House bill No. 195, "An Act for the relief of James P. Goodnight."

Bill read first time; rules suspended, bill read second time; rules suspended, bill read third time, passed, and sent to the House.

By leave, Senator Ford introduced an act to confer the jurisdiction heretofore exercised by the chief justices of the several counties of this State, under an act approved January 13, 1862, upon the presiding justices.

On motion of Senator Priest, the rules were suspended and bill read second time and passed to engrossment.

Rules suspended, bill read third time and passed.

Message from the House informing the Senate that the House had passed Senate bills Nos. 314, 218, 51 and 66, also Senate bill No. 332, with the following amendment:

Amend Senate bill No. 332 by striking out the words "Superintendent of Education" wherever they may occur, and insert in lieu thereof the words "Superintendent of Public Instruction."

The House also passed Senate bill No. 248 without amendments.

Message from the House informing the Senate that the House, on reconsideration, had refused to pass "An Act to incorporate the Austin Bridge Company," vetoed by the Governor, August 9, 1870.

Report of Committee on Engrossment:

COMMITTEE ROOM,
Austin, August 10, 1870.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Engrossed Bills, having examined and compared Senate bill No. 259, "To establish and incorporate the Beneficial Society of Galveston;" also Senate bill No. 352, "To regulate the sale of lands under decrees of the courts;" also Senate bill No. 335, "To permanently locate the county seat of San Patricio county;" also Senate bill No. 351, "to validate certain official acts of county judges;" also Senate bill No. 102, "Requiring the presiding justices in each county in this State to receive, disburse and account for all the funds belonging to their respective counties;" also Senate bill No. 353, to authorize a special term of

the district court to be holden in the county of Grimes for the year 1870," and Senate bill No. 388, "To incorporate the San Antonio and Rio Grande Telegraph Company," and the same to be correctly engrossed.

G. T. RUBY,
E. L. DOHONEY,
P. W. HALL

On motion of Senator Evans, the rules were suspended to take up Senate bill No. 279, "An Act to incorporate the Rio Grande Railroad Company."

Bill read second time.

Senator Pridgen moved that the words "perpetual succession" be stricken out and "ninety-nine years" inserted instead.

Adopted.

Bill passed to engrossment: rules suspended, bill read third time.

Yeas and nays taken on final passage:

Yeas—Mr. President, Alford, Baker, Bell, Bowers, Clark, Cole, Dohoney, Douglas, Evans, Ford, Hall, Hertzberg, Latimer, Mills, Parsons, Priest, Pridgen, Rawson, Ruby, Saylor, Shannon--22.

Nays—None.

Absent—Broughton, Flanagan, Fountain, Gaines, Pettit, Pickett, Pyle--7.

Bill passed.

On motion of Senator Evans the rules were suspended to take up House bill No. 483, "An Act making an appropriation to pay Peter Metzger for conveying his daughter Anna Metzger from Arkansas to her home in Texas, who was captured by the Indians and recovered at the boundaries of the State."

Bill read first time; rules suspended, bill read second time; rules further suspended, bill read third time.

Yeas and nays taken on final passage:

Yeas—Mr. President, Alford, Baker, Bell, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Ford, Hall, Hertzberg, Latimer, Mills, Parsons, Pettit, Priest, Pridgen, Pyle, Rawson, Ruby, Shannon--24.

Nays—None.

Absent—Flanagan, Fountain, Gaines, Pickett, Saylor--5.

Bill passed and sent to the House.

On motion of Senator Hall the rules were suspended to take up House bill No. 84, "An Act to incorporate the town of Hallettsville, in Lavaca county."

Bill read first time; rules suspended, bill read second time.

Senator Alford moved the further consideration of the bill be postponed until to-morrow.

Lost.

The question recurring upon the third reading of the bill, the bill was read third time.

Yeas and nays taken on final passage :

Yeas—Mr. President, Baker, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Ford, Hall, Hertzberg, Latimer, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Rawson, Ruby, Shannon—23.

Nays—Alford.

Absent—Flanagan, Fountain, Gaines, Saylor—4.

Bill passed.

[Senator Dohoney in the Chair.]

On motion of Senator Hertzberg the rules were suspended to take up House bill No. 147, "An act to encourage stock raising, and for the protection of stock raisers."

Bill read first time ; rules suspended, bill read second time.

Senator Alford moved the indefinite postponement of the bill.

Yeas and nays taken :

Yeas—Alford, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Hall, Hertzberg, Pickett, Pridgen, Pyle—13.

Nays—Mr. President, Baker, Bell, Ford, Latimer, Parsons, Pettit, Priest, Rawson, Ruby—10.

Absent—Flanagan, Fountain, Gaines, Mills, Saylor, Shannon—6.

Carried.

By leave, Senator Douglas offered the following report of select committee :

COMMITTEE ROOM,
Austin, August 9, 1870.

Hon. DON CAMPBELL,

President of the Senate :

SIR: Your select committee, appointed to arrange and report special orders of the most important general acts, now pending before the Senate, have considered the subject, and instruct me to report and recommend the adoption of the following special orders :

J. P. DOUGLAS,

Chairman.

THURSDAY, August 11, 9 A. M.—Substitutue for House bill No. 115, "An Act to provide for the mode and manner of holding elections, making returns, and for the protection of the ballot-box.

12 M.—House bill No. 507, "An Act appropriating certain moneys for the use of the State Lunatic Asylum."

8:30 P. M.—Substitute for House bill No. 20.

9 P. M.—House joint resolution No. 3.

FRIDAY, August 12, 9 A. M.—A bill to be entitled "An Act to provide for the levying of taxes."

12 M.—A bill to be entitled "An Act to provide for the assessment of taxes."

8 P. M.—Senate bill No. 327, "An Act concerning railroads."

SATURDAY, August 13, 9 A. M.—Senate joint resolution concerning public debt.

Senator Pridgen moved a reconsideration of the vote taken to indefinitely postpone House bill No. 147.

Senator Cole moved to lay the motion to reconsider on the table.

Yeas and nays taken :

Yeas—Alford, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Latimer, Pickett, Pyle—11.

Nays—Mr. President, Baker, Bell, Ford, Hall, Hertzberg, Parsons, Pettit, Priest, Pridgen, Rawson, Ruby, Saylor—13.

Absent—Flanagan, Fountain, Gaines, Mills, Shannon—5.

Motion to lay on table lost.

The question recurring upon the motion of Senator Pridgen to reconsider the vote to indefinitely postpone, the yeas and nays were taken :

Yeas—Baker, Bell, Ford, Hall, Hertzberg, Mills, Parsons, Pettit, Priest, Pridgen, Rawson, Ruby, Saylor, Shannon—14.

Nays—Mr. President, Alford, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Latimer, Pickett, Pyle—12.

Absent—Flanagan, Fountain, Gaines—3.

Motion to reconsider carried.

Senator Pickett moved the Senate adjourn.

Lost.

Senator Priest moved to adjourn.

Lost.

Senator Pyle moved the bill be made the special order for Monday at 11:30.

Lost.

Senator Parsons moved the bill be made the special order for Friday, at 11 o'clock.

Carried.

On motion of Senator Latimer the rules were suspended to take up House bill No. 429, "An Act to incorporate the Colorado Valley Immigration Company."

Senator Mills moved it be made the special order for to-morrow, at 11 A. M.

Yeas and nays taken :

Yeas—Mr. President, Baker, Bell, Dohoney, Douglas, Evans, Hertzberg, Mills, Priest, Ruby—10.

Nays—Alford, Bowers, Broughton, Clark, Cole, Hall, Latimer, Parsons, Pettit, Pridgen, Pyle, Rawson, Saylor—13.

Absent---Flanagan, Ford, Fountain, Gaines, Pickett, Shannon--46.
Motion to postpone lost.

Senator Saylor moved the bill be made the special order for Friday at ten o'clock.

Carried.

On motion of Senator Campbell the rules were suspended to reconsider the vote taken on Senate bill No. 2.

On motion of Senator Mills the rules were suspended to take up House bill No. 466, "An Act to aid the Brazos Branch Railroad to change the gauge, extend the time of construction, erect a telegraph line, and permit the company to extend the road to the International Railroad."

Read second time.

Senator Parsons offered a substitute; read and adopted.

Rules suspended; substitute bill read second time and passed to engrossment; rules suspended, bill read third time.

Yeas and nays taken on final passage:

Yeas--Mr. President, Alford, Bell, Bowers, Clark, Cole, Dohoney, Ford, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Rawson, Ruby, Shannon--20

Nays--None.

Absent--Baker, Broughton, Douglas, Evans, Flanagan, Fountain, Gaines, Latimer, Saylor--9.

Bill passed.

On motion of Senator Parsons the rules were suspended to take up Senate bill No. 249, "A bill to incorporate the Young Men's Beneficial Club of Harris county."

Report read and adopted.

Bill read second time and passed to engrossment; rules suspended bill read third time.

Yeas and nays taken on final passage:

Yeas--Mr. President, Alford, Bell, Bowers, Cole, Dohoney, Douglas, Evans, Ford, Hall, Hertzberg, Latimer, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Rawson, Ruby--20.

Nays--None.

Absent---Baker, Broughton, Clark, Flanagan, Fountain, Gaines, Mills, Saylor, Shannon--9.

On motion of Senator Pyle the Senate adjourned until the usual hour to-morrow morning.
